

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**RICHARD ZAMORA (18)**

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**1:21-cr-00048-LY-18**

**Order on Petition for Action on Conditions of Pretrial Release**

In accordance with the Federal Rules of Criminal Procedure and 18 U.S.C. § 3148, on November 8, 2021, a hearing was held before the undersigned Magistrate Judge on the U.S. Pretrial Services' Petition for Action on Conditions of Pretrial Release submitted October 19, 2021 (Dkt. 618).

In the Petition, Pretrial Services alleged that Defendant violated condition of release (7)(m): "The defendant must not use or unlawfully possess a narcotic drug or other controlled substance defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner." Dkt. 309 at 2. The Petition alleges that Defendant admitted using methamphetamines on October 7, 2021 and October 18, 2021, after submitting urinalysis specimens that returned positive results for amphetamines and methamphetamines, respectively.

The Court has carefully considered the Pretrial Services Report, the Petition, and the arguments of counsel for the Government and Defendant at the hearing. Pursuant to § 3148(b)(1)(B), the Court finds by clear and convincing evidence that, as alleged in the Petition, Defendant violated condition (7)(m) of his release by unlawfully using controlled substances.

Nonetheless, the Court finds that, based on the factors set forth in 18 U.S.C. § 3142(g), there are conditions of release that will assure that Defendant is not likely to flee or pose a danger to the safety of any other person or the community. *See* 18 U.S.C. § 3148(b)(2)(A). Specifically, it is **HEREBY ORDERED** that Defendant shall be **DETAINED until November 15, 2021**, when he shall be **RELEASED** to a program of inpatient substance abuse therapy and counseling as directed by Pretrial Services. **Defendant remains subject to all conditions in the Order Setting Conditions of Release (Dkt. 309).**

It is **FURTHER ORDERED** that the Petition for Action on Conditions of Pretrial Release (Dkt. 618) is **DENIED**.

**SIGNED** on November 8, 2021.



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SUSAN HIGHTOWER  
UNITED STATES MAGISTRATE JUDGE